

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

U.S. Bank Trust, N.A., as Trustee for LSF10
Master Participation Trust

Plaintiff

vs.

Christopher Gay a/k/a Christopher L. Gay

Defendant

Bank of America, N.A.

Party-In-Interest

CIVIL ACTION NO: 2:19-cv-00145-DBH

RE:

17 Myrtle Street, South Paris, ME 04281

Mortgage:

November 21, 2006

Book 4054, Page 166

JUDGMENT OF FORECLOSURE AND SALE

This matter came before the Court for a testimonial hearing on Plaintiff's Motion for Default Judgment on July 23, 2019. Plaintiff, U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust, was present and represented by Reneau J. Longoria, Esq. Defendant Christopher Gay a/k/a Christopher L. Gay did not appear. Bank of America, N.A. did not appear.

All persons interested having been duly notified in accordance with the law, and after hearing, the Plaintiff's Motion for Default Judgment is GRANTED. Count II – Breach of Note, Count III – Breach of Contract, Money Had and Received, Count IV – Quantum Meruit, and Count V – Unjust Enrichment, are hereby **DISMISSED** without prejudice at the request of the Plaintiff. **JUDGMENT** on Count I – Foreclosure, is hereby **ENTERED** as follows:

1. If the Defendant or his/her heirs or assigns pays U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust ("U.S. Bank") the amount adjudged due and owing (\$114,521.11) within 90 days of the date of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, U.S. Bank shall forthwith discharge the Mortgage and file a dismissal of this action on the ECF Docket. The following is a breakdown of the amount due and owing:

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Description	Amount
Unpaid Principal Balance	\$89,836.26
Escrow Balance	\$10,188.09
Total Interest	\$13,643.85
Late Charges	\$852.91
Grand Total	\$114,521.11

2. If the Defendant or his/her heirs or assigns does not pay U.S. Bank the amount adjudged due and owing (\$114,521.11) within 90 days of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, his/her remaining rights to possession of the South Paris Property shall terminate, U.S. Bank shall conduct a public sale of the South Paris Property in accordance with 14 M.R.S.A. § 6323, disbursing the proceeds first to itself in the amount of \$114,521.11 after deducting the expenses of the sale, with any surplus to be disbursed pursuant to Paragraph 5 of this Judgment, and in accordance with 14 M.R.S.A. § 6324.
3. Pursuant to 14 M.R.S.A. § 2401(3)(F), the Clerk shall sign a certification after the appeal period has expired, certifying that the applicable period has expired without action or that the final judgment has been entered following appeal.
4. The amount due and owing is \$114,521.11.
5. The priority of interests is as follows:
 - a.) U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust has first priority, in the amount of \$114,521.11, pursuant to the subject Note and Mortgage.
 - b.) Bank of America, N.A., who has been defaulted.
 - c.) Christopher Gay a/k/a Christopher L. Gay, who has been defaulted.
7. The prejudgment interest rate is 2.75000%, *see* 14 M.R.S.A. § 1602-B, and the post-judgment interest rate is 8.59%, *see* 14 M.R.S.A. § 1602-C.
8. The following information is included in this Judgment pursuant to 14 M.R.S.A. § 2401(3):

	PARTIES	COUNSEL
PLAINTIFF	U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust	John A. Doonan, Esq. Reneau J. Longoria, Esq. Doonan, Graves & Longoria, LLC 100 Cummings Center Suite 225D Beverly, MA 01915
DEFENDANT	Christopher Gay a/k/a Christopher L. Gay 345 Ridgehill Drive Lexington, SC 29073	Pro Se
PARTY-IN-INTEREST	Bank of America, N.A. c/o CT Corporation System 128 State Street #3 Augusta, ME 04330	Pro Se

- a) The docket number of this case is No. 2:19-cv-00145-DBH.
- b) All parties to these proceedings received notice of the proceedings in accordance with the applicable provisions of the Federal Rules of Civil Procedure.
- c) A description of the real estate involved, 17 Myrtle Street, South Paris, ME 04281, is set forth in Exhibit A to the Judgment herein.
- d) The street address of the real estate involved is 17 Myrtle Street, South Paris, ME 04281. The Mortgage was executed by the Defendant on November 21, 2006. The book and page number of the Mortgage in the Oxford County Registry of Deeds-Eastern is Book 4054, Page 166.
- e) This judgment shall not create any personal liability on the part of the Defendant but shall act solely as an in rem judgment against the property, 17 Myrtle Street, South Paris, ME 04281.

SO ORDERED.

DATED THIS 24th DAY OF June, 2019


U.S. DISTRICT JUDGE